

The Honorable Marsha J. Pechman

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

IN RE WASHINGTON MUTUAL
MORTGAGE BACKED SECURITIES
LITIGATION

This Document Relates to: ALL CASES

No. 2:09-cv-00037 (MJP)

**DECLARATION OF JOHN T. JASNOCH
IN SUPPORT OF PLAINTIFFS'
OPPOSITION TO DEFENDANTS'
MOTION FOR SUMMARY JUDGMENT**

DECLARATION OF JOHN T. JASNOCH
IN SUPPORT OF PLAINTIFFS' OPPOSITION
TO DEFENDANTS' MOTION FOR SUMMARY JUDGMENT
No. 2:09-cv-00037-MJP

SCOTT+SCOTT LLP
707 Broadway, Suite 1000
San Diego, CA 92101
Telephone: (619) 233-4565

1 I, John T. Jasnoch, hereby swear as follows:

2 1. I am an attorney licensed to practice in the State of California I am associated
3 with the law firm of Scott+Scott LLP, counsel of record for Plaintiffs. I make this declaration in
4 support of the Plaintiffs' Opposition to Defendants' Motion for Summary Judgment. I have
5 personal knowledge of the matters stated herein and, if called upon, I could and would
6 competently testify thereto.

7 2. Attached as Exhibit 1 is a true and correct copy of excerpts from Washington
8 Mutual Inc. Form 10-K, Annual Report for the Fiscal Year ended December 31, 2006, retrieved
9 from <http://www.sec.gov/edgar/searchedgar/companysearch.html>.

10 3. Attached as Exhibit 2 is a true and correct copy of the prepared statement of
11 David Schneider given before the Permanent Subcommittee on Investigations, United States
12 Senate, on April 13, 2010.

13 4. Attached as Exhibit 3 is a true and correct copy of the Opening Statement of
14 David Beck given before the Permanent Subcommittee on Investigations, United States Senate,
15 on April 13, 2010.

16 5. Attached as Exhibit 4 is a true and correct copy of excerpts from the transcript of
17 the January 18, 2012 deposition of David Beck.

18 6. Attached as Exhibit 5 is a true and correct copy of 2006 WaMu AR-7, Free
19 Written Prospectus, Loan Tape from SEC's EDGAR Website Filed June 23, 2006. This
20 document was converted to a PDF format from an .html from SEC's EDGAR Website.

21 7. Attached as Exhibit 6 is a true and correct copy of 2006 WaMu AR12, Free
22 Written Prospectus, Loan Tape from SEC's EDGAR Website Filed September 25, 2006. This
23 document was converted to a PDF format from an .html from SEC's EDGAR Website.

24 8. Attached as Exhibit 7 is a true and correct copy of 2006 WaMu AR16, Free
25 Written Prospectus, Loan Tape from SEC's EDGAR Website Filed November 17, 2006. This
26 document was converted to a PDF format from an .html from SEC's EDGAR Website.

9. Attached as Exhibit 8 is a true and correct copy of 2006 WaMu AR17, Free Written Prospectus, Loan Tape from SEC's EDGAR Website Filed November 20, 2006. This document was converted to a PDF format from an .html from SEC's EDGAR Website.

10. Attached as Exhibit 9 is a true and correct copy of 2006 WaMu AR18, Free Written Prospectus, Loan Tape from SEC's EDGAR Website Filed November 19, 2006. This document was converted to a PDF format from an .html from SEC's EDGAR Website.

11. Attached as Exhibit 10 is a true and correct copy of 2007 WaMu HY1, Free Written Prospectus, Loan Tape from SEC's EDGAR Website Filed January 19, 2007. This document was converted to a PDF format from an .html from SEC's EDGAR Website.

12. Attached as Exhibit 11 is a true and correct copy of the Summary Judgment Motion Declaration of Ira Holt, dated May 11, 2012.

13. Attached as Exhibit 12 is a true and correct copy of a document produced in this litigation bearing Bates numbers CHASE-0003101444 through CHASE-0003101457.

14. Attached as Exhibit 13 is a true and correct copy of a document produced in this litigation bearing Bates numbers CHASE-0006250070 through CHASE-0006250088.

15. Attached as Exhibit 14 is a true and correct copy of a document produced in this litigation bearing Bates numbers CHASE-0000507846 through CHASE-0000507857. This document was previously marked as Deposition Exhibit 717 in this litigation.

16. Attached as Exhibit 15 is a true and correct copy of a document produced in this litigation bearing Bates numbers CHASE-0001717553 through CHASE-0001717554. This document was previously marked as Deposition Exhibit 723 in this litigation.

17. Attached as Exhibit 16 is a true and correct copy of a document produced in this litigation bearing Bates numbers CHASE-0002974976 through CHASE-0002974978. This document was previously marked as Deposition Exhibit 659 in this litigation.

18. Attached as Exhibit 17 is a true and correct copy of excerpts from the transcript of the April 10, 2012 deposition of Cheryl Feltgen.

19. Attached as Exhibit 18 is a true and correct copy of excerpts from the transcript of the January 10, 2012 deposition of James Tiegen.

20. Attached as Exhibit 19 is a true and correct copy of excerpts from the transcript of the January 30, 2012 deposition of Hugh Boyle.

21. Attached as Exhibit 20 is a true and correct copy of a document produced in this litigation bearing Bates numbers JPMWaMuMBS0000763743 through JPMWaMuMBS0000763748. This document was previously marked as Deposition Exhibit 682 in this litigation.

22. Attached as Exhibit 21 is a true and correct copy of a document produced in this litigation bearing Bates numbers CHASE-0002271237 through CHASE-0002271238.

23. Attached as Exhibit 22 is a true and correct copy of a document produced in this litigation bearing Bates numbers CHASE-0007982504 through CHASE-0007982577.

24. Attached as Exhibit 23 is a true and correct copy of a document produced in this litigation bearing Bates numbers CHASE-0002070890 through CHASE-0002070893. This document was previously marked as Deposition Exhibit 867 in this litigation.

25. Attached as Exhibit 24 is a true and correct copy of a document produced in this litigation bearing Bates numbers CHASE-0007982719 through CHASE-0007982760.

26. Attached as Exhibit 25 is a true and correct copy of a document produced in this litigation bearing Bates numbers CHASE-0001840622 through CHASE-0001840624.

27. Attached as Exhibit 26 is a true and correct copy of a document produced in this litigation bearing Bates numbers CHASE-0005352103 through CHASE-0005352183.

28. Attached as Exhibit 27 is a true and correct copy of a document produced in this litigation bearing Bates numbers JPMWaMuMBS0004260682 through JPMWaMuMBS0004260684.

29. Attached as Exhibit 28 is a true and correct copy of a document produced in this litigation bearing Bates numbers CHASE-0005326251 through CHASE-0005326316.

DECLARATION OF JOHN T. JASNOCH 3
IN SUPPORT OF PLAINTIFFS' OPPOSITION TO
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30. Attached as Exhibit 29 is a true and correct copy of a document produced in this litigation bearing Bates numbers JPMWaMuMBS0000291028 through JPMWaMuMBS0000291031. This document was previously marked as Deposition Exhibit 195 in this litigation

31. Attached as Exhibit 30 is a true and correct copy of the Expert Rebuttal Report of James Miller dated March 30, 2012.

32. Attached as Exhibit 31 is a true and correct copy of a document produced in this litigation bearing Bates numbers CHASE-0001749977 through CHASE-0001750037.

33. Attached as Exhibit 32 is a true and correct copy of a document produced in this litigation bearing Bates numbers CHASE-0001862339 through CHASE-0001862401.

34. Attached as Exhibit 33 is a true and correct copy of a document produced in this litigation bearing Bates number JPMWaMuMBS0000768183 through JPMWaMuMBS0000768185. This document was previously marked as Deposition Exhibit 754 in this litigation.

35. Attached as Exhibit 34 is a true and correct copy of a document produced in this litigation bearing Bates numbers CHASE-0000822310 through CHASE-0000822313.

36. Attached as Exhibit 35 is a true and correct copy of excerpted transcript from the January 13, 2012 deposition of Diane Novak.

37. Attached as Exhibit 36 is a true and correct copy of the Declaration of Diane Jeanty in support of Plaintiff's opposition to Motion for Summary Judgment, dated May 7, 2012.

38. Attached as Exhibit 37 is a true and correct copy of the Declaration of Denise Luedtke in Support of Plaintiffs' Opposition to Motion for Summary Judgment, dated May 9, 2012.

39. Attached as Exhibit 38 is a true and correct copy of a document produced in this litigation bearing Bates numbers CHASE-0000944225 through CHASE-0000944238. This document was previously marked as Deposition Exhibit 753 in this litigation.

40. Attached as Exhibit 39 is a true and correct copy of a document produced in this litigation bearing Bates numbers CHASE-0003153304 through CHASE-0003153309. This document was previously marked as Deposition Exhibit 528 in this litigation.

41. Attached as Exhibit 40 is a true and correct copy of a document produced in this litigation bearing Bates numbers CHASE-0002518626 through CHASE-0002518627. This document was previously marked as Deposition Exhibit 525 in this litigation.

42. Attached as Exhibit 41 is a true and correct copy of a document produced in this litigation bearing Bates numbers JPMWaMuMBS000021882 through JPMWaMuMBS000021886. This document was previously marked as Deposition Exhibit 859 in this litigation.

43. Attached as Exhibit 42 is a true and correct copy of a document produced in this litigation bearing Bates numbers CHASE-0003360505 through CHASE-0003360510. This document was previously marked as Deposition Exhibit 858 in this litigation.

44. Attached as Exhibit 43 is a true and correct copy of a document produced in this litigation bearing Bates number JPMWaMuMBS0004260682 through JPMWaMuMBS0004260684. This document was previously marked as Deposition Exhibit 663 in this litigation

45. Attached as Exhibit 44 is a true and correct copy of excerpts from Wall Street and the Financial Crisis: The Role of High Risk Home Loans. Hearing Before the Permanent Subcommittee on Investigations of the U.S. Senate, Dated April 13, 2010. This document was previously marked as Deposition Exhibit 666 in this litigation.

46. Attached as Exhibit 45 is a true and correct copy of a document produced in this litigation bearing Bates number JPMWaMuMBS0000023618. This document was previously marked as Deposition Exhibit 874 in this litigation.

47. Attached as Exhibit 46 is a true and correct copy of a document produced in this litigation bearing Bates numbers CHASE-0003358098 through CHASE-0003358133.

48. Attached as Exhibit 47 is a true and correct copy of a document produced in this litigation bearing Bates numbers CHASE-0005890722 through CHASE-0005890728. This document was previously marked as Deposition Exhibit 660 in this litigation.

49. Attached as Exhibit 48 is a true and correct copy of a document produced in this litigation bearing Bates numbers CHASE-0004439853 through CHASE-0004439858.

50. Attached as Exhibit 49 is a true and correct copy of a document produced in this litigation bearing Bates numbers CHASE-0002954199 through CHASE-0002954202.

51. Attached as Exhibit 50 is a true and correct copy of a document produced in this litigation bearing Bates numbers CHASE-0003019524 through CHASE-0003019527.

52. Attached as Exhibit 51 is a true and correct copy of a document produced in this litigation bearing Bates numbers CHASE-0007141650 through CHASE-0007141655.

53. Attached as Exhibit 52 is a true and correct copy of a document produced in this litigation bearing Bates numbers CHASE-0006186079 through CHASE-0006186096.

54. Attached as Exhibit 53 is a true and correct copy of a document produced in this litigation bearing Bates numbers CHASE-0007141650 through CHASE-0007141665.

55. Attached as Exhibit 54 is a true and correct copy of a document produced in this litigation bearing Bates numbers JPMWaMuMBS00000025895 through JPMWaMuMBS00000025899. This document was previously marked as Deposition Exhibit 888 in this litigation.

56. Attached as Exhibit 55 is a true and correct copy of a document produced in this litigation bearing Bates number CHASE-0002621004.

57. Attached as Exhibit 56 is a true and correct copy of a document produced in this litigation bearing Bates numbers JPMWaMuMBS00000025953 through JPMWaMuMBS00000025955.

58. Attached as Exhibit 57 is a true and correct copy of a document produced in this litigation bearing Bates numbers JPMWaMuMBS0000192521 through

1 JPMWaMuMBS0000192522. This document was previously marked as Deposition Exhibit 215
2 in this litigation.

3 59. Attached as Exhibit 58 is a true and correct copy of excerpts from the document
4 entitled *Wall Street and the Financial Crisis: Anatomy of a Financial Collapse*, published on
5 April 13, 2011 by the Permanent Subcommittee on Investigations of the U.S. Senate. This
6 document was previously marked as Deposition Exhibit 702 in this litigation.

7 60. Attached as Exhibit 59 is a true and correct copy of a document entitled
8 Evaluation of Federal Regulatory Oversight of Washington Mutual Bank, published on April 9,
9 2010 by the Offices of Inspector General of the Department of the Treasury and Federal Deposit
10 Insurance Corporation.

11 61. Attached as Exhibit 60 is a true and correct copy of a document produced in this
12 litigation bearing Bates numbers CHASE-0001885380 through CHASE-0001885521. This
13 document was previously marked as Deposition Exhibit 709 in this litigation.

14 62. Attached as Exhibit 61 is a true and correct copy of the transcript of the January
15 24, 2012 deposition of David Schneider.

16 63. Attached as Exhibit 62 is a true and correct copy of the transcript of the March 6,
17 2012 deposition of Randy Melby.

18 64. Attached as Exhibit 63 is a true and correct copy of a document produced in this
19 litigation bearing Bates numbers CHASE-0006655003 through CHASE-0006655004. This
20 document was previously marked as Deposition Exhibit 496 in this litigation.

21 65. Attached as Exhibit 64 is a true and correct copy of a document produced in this
22 litigation bearing Bates numbers CHASE-0006655001 through CHASE-0006655002. This
23 document was previously marked as Deposition Exhibit 497

24 66. Attached as Exhibit 65 is a true and correct copy of a document produced in this
25 litigation bearing Bates number CHASE-0006655005. This document was previously marked as
26 Deposition Exhibit 498 in this litigation.

67. Attached as Exhibit 66 is a true and correct copy of a document produced in this litigation bearing Bates numbers CHASE-0000856839 through CHASE-0000856856. This document was previously marked as Deposition Exhibit 526 in this litigation.

68. Attached as Exhibit 67 is a true and correct copy of a document entitled “Washington Mutual Practices That Created A Mortgage Time Bomb” dated April 2010 and prepared by the U.S. Senate Permanent Subcommittee on Investigations. This document was previously marked as Deposition Exhibit 655 in this litigation.

69. Attached as Exhibit 68 is a true and correct copy of a document produced in this litigation bearing Bates numbers CHASE-0006621444 through CHASE-0006621456. This document was previously marked as Deposition Exhibit 503 in this litigation.

70. Attached as Exhibit 69 is a true and correct copy of a document produced in this litigation bearing Bates numbers CHASE-0003003321 through CHASE-0003003341. This document was previously marked as Deposition Exhibit 509 in this litigation.

71. Attached as Exhibit 70 is a true and correct copy of a document produced in this litigation bearing Bates numbers JPMWaMuMBS0000038959 through JPMWaMuMBS0000038960.

72. Attached as Exhibit 71 is a true and correct copy of a document produced in this litigation bearing Bates numbers CHASE-0007000506 through CHASE-0007000508. This document was previously marked as Deposition Exhibit 224 in this litigation.

73. Attached as Exhibit 72 is a true and correct copy of a document produced in this litigation bearing Bates numbers CHASE-0008063092 through CHASE-0008063093. This document was previously marked as Deposition Exhibit 492.

74. Attached as Exhibit 73 is a true and correct copy of a document produced in this litigation bearing Bates numbers CHASE-0006802983 through CHASE-0006802988.

75. Attached as Exhibit 74 is a true and correct copy of a document produced in this litigation bearing Bates numbers CHASE-0006803008 through CHASE-0006803013. This document was previously marked as Exhibit 809 in this litigation.

76. Attached as Exhibit 75 is a true and correct copy of a document produced in this litigation bearing Bates numbers CHASE-0003231572 through CHASE-0003231578. This document was previously marked as Deposition Exhibit 460 in this litigation.

77. Attached as Exhibit 76 is a true and correct copy of a document produced in this litigation bearing Bates numbers CHASE-000304176 through CHASE-0003004181. This document was previously marked as Deposition Exhibit 219 in this litigation.

78. Attached as Exhibit 77 is a true and correct copy of the transcript of the May 12, 2011 deposition of Scott Hakala, Ph.D., CFA.

79. Attached as Exhibit 78 is a true and correct copy of excerpts from Washington Mutual's Home Loans' Conventional Underwriting Guidelines dated November 3, 2006, which was produced in this litigation bearing Bates numbers CHASE-0000334094 through CHASE-0000334099. This document was previously marked as Deposition Exhibit 854 in this litigation.

80. Attached as Exhibit 79 is a true and correct copy of a document produced in this litigation bearing Bates number JPMWaMuMBS0000023447 through JPMWaMuMBS0000023450. The document was previously marked as Deposition Exhibit 708 in this litigation.

81. Attached as Exhibit 80 is a true and correct copy of Expert Rebuttal Report of Adam Levitin dated March 30, 2012.

82. Attached as Exhibit 81 is a true and correct copy of the Expert Rebuttal Report of Scott Hakala Ph.D., CFA.

83. Attached as Exhibit 82 is a true and correct copy of a document produced in this litigation bearing Bates numbers CHASE-0000573575 through CHASE-0000573599. This document was previously marked as Deposition Exhibit 658 in this litigation.

87. Attached as Exhibit 86 is a true and correct copy of CHASE-0007488337 through CHASE-0007488338.

Executed this 11th day of May, 2012, at San Diego, California.

DECLARATION OF JOHN T. JASNOCH 10
IN SUPPORT OF PLAINTIFFS' OPPOSITION TO
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(NO. 2:09-CV-0037-MJP)

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CERTIFICATE OF SERVICE

I hereby certify that on May 11, 2012, I caused the foregoing to be electronically filed with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses denoted on the Electronic Mail Notice List, and I hereby certify that I caused the foregoing document or paper to be mailed via the United States Postal Service to the non-CM/ECF participants indicated on the Manual Notice List.

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on May 11, 2012.

/s/ Anne L. Box

Anne L. Box (admitted *pro hac vice*)

SCOTT+SCOTT LLP

707 Broadway, Suite 1000

San Diego, CA 92101

Telephone: 619-233-4565

Fax: 619-233-0508

E-mail: abox@scott-scott.com